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August 27, 2020 1:17 PM
U.S. DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
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**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN**

FLEET ENGINEERS, INC.

a Michigan Corporation,

Plaintiff

v.

MUDGUARD TECHNOLOGIES, LLC

a Tennessee limited liability company,

TARUN SURTI

an Individual,

Defendant

Case No. 1:12-CV-1143

Hon. Paul L. Maloney

**PRO SE DEFENDANT'S REQUEST FOR THE STATUS UPDATE ON HIS
SECOND MOTION FOR SUMMARY JUDGMENT**

INTRODUCTION

Federal Circuit Court vacated this District Court's Grant of Summary Judgment of non-infringement on February 25, 2019 (almost 18 months ago) and remanded this court for further proceedings consistent with its opinion.

On March 25, 2020 (almost a year later) this Court's "Order Clarifying Patent Claims in Dispute" identified claims 1, 2, 5, 8, 9 and 13 of the reissue patent, '755 as disputed. Claim 19 of the reissue patent is not in dispute (ECF No.299).

On April 3, 2020 (almost 120 days ago), Pro Se Defendant had filed his Second Motion for Summary Judgment (ECF No. 300) and has been anxiously awaiting its status and this Court's decision in expeditiously manners.

PLAINTIFF FILED UNTRUTHFUL AND MISLEADING STATEMENTS

In the “Joint Status Report” Plaintiff, through its attorney, filed an untruthful and misleading statement that reads, “(9) whether any claims other than claims, 1 2, 5, 8, 9, and 13 require a finding of invalidity or validity because there was only a case or controversy as to previously-asserted claims 1 2, 5, 8, 9, and 13. Mr. Surti disagrees with this issue and believes it is barred by res-judicata. (note: also by Michigan’s Mandate Rule). ***** **Fleet had no notice of his intent to assert other claims and could not mount its invalidity defense** (ECF No. 282 PageID 3359).

Plaintiff again filed an untruthful and misleading statement in its “Plaintiff’s Response to Defendant’s Motion for Summary Judgment” that reads, “**NO MOTION FOR LEAVE TO AMEND THESE CLAIM OR DEFENSE CHARTS HAS BEEN FILED BY EITHER PARTY.**” (ECF No. 291 –Page ID 3436).

The above paragraph confirms that Plaintiff’s statements are untruthful, misleading and maliciously drafted with an intent to defraud the judicial system. They directly contradicts Plaintiff’s own motion (ECF No. 185) where Plaintiff had specifically identified and mounted its non-infringement and invalidity arguments against claims 1, 9, 14, 18, 19 and 25 and their dependent claims 2-8, 10-13, 15-17 and 20-24 and requested this Court to Grant a Summary Judgment of Non-Infringement and Invalidity of Surti’s reissue patent “755.

This Court’s Grant of Summary Judgment of Non-Infringement and Patent Validity (ECF No. 236) was directly in response to the Plaintiff’s Motion.

After eighteen months, since Mandate, this court is still unable to render its judgment of infringement as requested by the Pro Se Defendant because Plaintiff continued to make **untruthful and misleading statements to misguide and defraud this Court.**

REQUEST FOR RELIEF

The Pro Se Defendant deserved a fair and expeditious judgment from this court. The judgment of infringement should have been delivered long time ago if this Court had observed its legal and moral responsibilities to treat this case fairly, without prejudice toward the Pro Se Defendant and favoritism towards the Plaintiff.

Plaintiff filed this malicious case almost eight years ago with an intent to defraud the judicial system. Plaintiff failed to state the truth as required by the law, instead mislead this court with lies and misinformation.

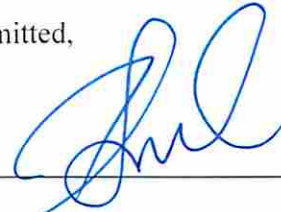
Instead of being truthful, when asked by this court to identify the disputed claims, the Plaintiff continued its malicious act of submitting misleading information (ECF No. 282 and 291) that contradicts with its own Motion for Summary Judgment (ECF No. 185). Plaintiff's continued filing of misleading information is willful and deliberate, which has forced this Court delays of almost 18 months in granting its Summary Judgment.

WHEREFORE, Pro Se Defendant, Mr. Surti, hereby moves this Court and requests this honorable Court to expeditiously grant the Second Motion for Summary Judgment in favor of the Pro Se Defendant.

Respectfully submitted,

Dated: August 25, 2020

By: _____



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